SOLICITATION/CONTRACT OFFEROR TO COMPLET			HAL II LIVIO	TION NUMBER 196-5428		PAGE	1 OF 7
2. CONTRACT NO.	3. AWARD/EFFE		ER NUMBER	5. SOLICITAT	TION NUMBER	6. SOLICIT	ATION ISSUE DATE
DACW31-03-P-0370	10-Sep-2003				-03-T-0107	08-Aug-	
7. FOR SOLICITATION	a. NAME			b. TELEPHOI	NE NUMBER (No Colle		DUE DATE/LOCAL TIME
INFORMATION CALL:	SANDRA L \	NICKS		410-962-3	3987	04:00 P	M 29 Aug 2003
9. ISSUED BY	CODE C/	W31	10. THIS ACQUISITION IS	3	11. DELIVERY FO	R FOB 12. DISC	OUNT TERMS
CONTRACTING DIVISION	<u> </u>	101	UNRESTRICTED		DESTINATION UN	LESS 0% NET	30 DAYS
CONTRACTING DIVISION PO BOX 1715			X SET ASIDE: 100)% FOR	BLOCK IS MARKE	D	
BALTIMORE MD 21203-1715					SEE SCHEDU	JLE	
			X SMALL BUSINES		☐ 40. TUIO 00	NTRACT IS A RATI	
			SMALL DISADV.	BUSINESS			ED ORDER
			8(A)			S (15 CFR 700)	
					13b. RATING	_	
TEL: 410-962-5638			SIC: 1422		14. METHOD OF S	OLICITATION	_
FAX: 410-962-0933			SIZE STANDARD:500		X RFQ	IFB	RFP
15. DELIVER TO	CODE E1R	R0260	16. ADMINISTERED BY			CODE E1P	0500
OPS DIV RAYSTOWN LAKE PROJECT	CODE [=::	10200	CONTR DIV OPERATIONS BR			CODE [=::	
DWIGHT BEALL RD 1 BOX 222			PO BOX 1715 BALTIMORE MD 21203-1715				
HESSTON PA 16647			BALTIMORE MID 21203-1713				
17a.CONTRACTOR/OFFEROR	C	ODE 3H1U8	18a. PAYMENT WILL BE I	MADE BY		CODE TO	30200
MARKS BROS HAULING AND CONTE	RACTORS		USACE FINANCE CENT	ER			
WILBUR L. HALL JR. RD #4, BOX 167A			ATTN: DISBURSING	_			
HUNTINGDON PA 16652-9646			5722 INTEGRITY DRIVE				
			MILLINGTON TN 38054	-5005			
	FACI						
TEL. (814) 643-1774	COD	E 3H1U8					
17b. CHECK IF REMITTANCE IS	DIFFERENT /	AND PUT	18b. SUBMIT INVOICES	TO ADDRES	SS SHOWN IN BL	OCK 18a. UNLES	S BLOCK
SUCH ADDRESS IN OFFER			BELOW IS CHECKED	SEE AD	DDENDUM		
19. ITEM NO.	20. SCHEDULF	E OF SUPPLIES/ SE	RVICES	21. QUAN	ITITY 22. UNIT	23. UNIT PRICE	24. AMOUNT
SEE SCHEDULE							
25. ACCOUNTING AND APPROPRIATION DATA						26. TOTAL AWAF	RD AMOUNT
See Schedule							\$44,140.00
27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1. 52.212							
Z7a: OOEIOITATION INOOKI OKA	TES BY REFER	ENCE FAR 52.212-1.	52.212-4. FAR 52.212-3. 5	52.212-5 ARE	ATTACHED. ADDE	ENDA ARE A	RE NOT ATTACHED
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Section SF 1449 - CONTINUATION SHEET

ITEM NO 0001	SUPPLIES/SERVICES 2RC SELECT GRANULAR	QUANTITY 1,710 R MATERIAL, DEI	UNIT Net Ton (2,000 LB) LIVERED	UNIT PRICE \$9.65	AMOUNT \$16,501.50
	FFP 2RC SELECT GRANULAR SEVEN POINTS, SUSQUE the attached "Scope of Wo	EHANNOCK REC		-	
	Requestor: Dwight Beall @ (Contracting Office) Sandy Wilbur Hall @ (814) 643-17 PURCHASE REQUEST NO	(814) 658-3405 E Wicks @ (410) 96 774	62-3987	POC Vendor Rep:	
				NET AMT	\$16,501.50
	ACRN AA Funded Amou	nt			\$16,501.50
FOB:	Destination				
ITEM NO 0002	SUPPLIES/SERVICES	QUANTITY 1,000	UNIT Net Ton (2,000 LB)	UNIT PRICE \$13.90	AMOUNT \$13,900.00
	MIX, 2 PARTS 1B, 1 PAR'	T DER DUST/SAN			
	MIX, 2 PARTS 1B, 1 PART LAKE PROJECT, SEVEN I PURCHASE REQUEST NO	POINTS RECREA	TION AREA.) TO RAYSTOWN	
				NET AMT	\$13,900.00
	ACRN AA Funded Amou	nt			\$13,900.00

FOB: Destination

Page 3 of 7

 ITEM NO
 SUPPLIES/SERVICES
 QUANTITY
 UNIT
 UNIT PRICE
 AMOUNT

 0003
 1,290
 Net Ton \$10.65
 \$13,738.50

 (2,000 LB)
 (2,000 LB)

2RC SELECT GRANULAR MATERIAL,

FFP

 $2\mathrm{RC}$ SELECT GRANULAR MATERIAL, DELIEVERED TO THE RAYSTOWN LAKE PROJECT, SEVEN POINTS AND SUSQUEHANNOCK AREAS.

PURCHASE REQUEST NUMBER: W81W3G-3196-5428

NET AMT \$13,738.50

ACRN AB Funded Amount \$13,738.50

FOB: Destination

INSPECTION AND ACCEPTANCE TERMS

Supplies/services will be inspected/accepted at:

CLIN	INSPECT AT	INSPECT BY	ACCEPT AT	ACCEPT BY
0001	N/A	N/A	N/A	N/A
0002	N/A	N/A	N/A	N/A
0003	N/A	N/A	N/A	N/A

DELIVERY INFORMATION

CLIN	DELIVERY DATE	QUANTITY	SHIP TO ADDRESS	UIC
0001	14-OCT-2003	1,710	OPS DIV RAYSTOWN LAKE PROJECT DWIGHT BEALL RD 1 BOX 222 HESSTON PA 16647 814-658-3405 X203 FOB: Destination	E1R0260
0002	14-OCT-2003	1,000	(SAME AS PREVIOUS LOCATION) FOB: Destination	E1R0260
0003	14-OCT-2003	1,290	(SAME AS PREVIOUS LOCATION) FOB: Destination	E1R0260

ACCOUNTING AND APPROPRIATION DATA

AA: 96X31230000 082420 2500A05250014900 NA 96181

COST 000000000000

CODE:

AMOUNT: \$30,401.50

AB: 96X31230000 082420 2500109K13014900 NA 96181

COST 000000000000

CODE:

AMOUNT: \$13,738.50

CLAUSES INCORPORATED BY REFERENCE

52.209-6	Protecting the Government's Interest When Subcontracting	JUL 1995
	With Contractors Debarred, Suspended, or Proposed for	
	Debarment	
52.211-17	Delivery of Excess Quantities	SEP 1989
52.212-4	Contract Terms and ConditionsCommercial Items	FEB 2002
52.219-6	Notice Of Total Small Business Set-Aside	JUL 1996
52.222-3	Convict Labor	AUG 1996
52.222-21	Prohibition Of Segregated Facilities	FEB 1999
52.222-26	Equal Opportunity	APR 2002
52.222-35	Equal Opportunity For Special Disabled Veterans, Veterans of	DEC 2001
	the Vietnam Era and Other Eligible Veterans	
52.222-36	Affirmative Action For Workers With Disabilities	JUN 1998
52.222-37	Employment Reports On Special Disabled Veterans, Veterans	DEC 2001
	Of The Vietnam Era and Other Eligible Veterans	
52.225-13	Restrictions on Certain Foreign Purchases	JUL 2000
52.232-33	Payment by Electronic Funds TransferCentral Contractor	MAY 1999
	Registration	
52.233-3	Protest After Award	AUG 1996
52.242-15	Stop-Work Order	AUG 1989
52.243-5	Changes and Changed Conditions	APR 1984
52.246-1	Contractor Inspection Requirements	APR 1984
52.247-34	F.O.B. Destination	NOV 1991
52.253-1	Computer Generated Forms	JAN 1991
252.204-7003	Control Of Government Personnel Work Product	APR 1992
252.204-7004	Required Central Contractor Registration	NOV 2001
252.219-7011	Notification to Delay Performance	JUN 1998
252.225-7001	Buy American Act And Balance Of Payments Program	MAR 1998
252.225-7002	Qualifying Country Sources As Subcontractors	DEC 1991
252.225-7016	Restriction On Acquisition Of Ball and Roller Bearings	DEC 2000
252.243-7001	Pricing Of Contract Modifications	DEC 1991
252.246-7000	Material Inspection And Receiving Report	DEC 1991

CLAUSES INCORPORATED BY FULL TEXT

52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS--COMMERCIAL ITEMS (APR 2001) (DEVIATION)

- (a) Comptroller General Examination of Record. The Contractor agrees to comply with the provisions of this paragraph (a) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at 52.215-5, Audit and Records-Negotiation.
- (1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to the right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.
- (2) The Contractor shall make available at its offices at all reasonable times, the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR Subpart 4.7, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.
- (3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of form. This does not require the Contractor to create or maintain any record that the contractor does not maintain in the ordinary course of business or pursuant to a provision of law.
- (b) The Contractor is not required to include any FAR clause, other than those listed below (and as may be required by an addenda to this paragraph to establish the reasonableness of prices under Part 15), in a subcontract for commercial items or commercial components—
- (1) 52.222-26, Equal Opportunity (E.O. 11246);
- (2) 52.222-35, Affirmative Action for Disabled Veterans and Veterans of the Vietnam Era (38 U.S.C. 4212);
- (3) 52.222-36, Affirmative Action for Workers with Disabilities (29 U.S.C. 793); and
- (4) 52.247-64, Preference for Privately-Owned U.S.- Flag Commercial Vessels (46 U.S.C. 1241)(flow down not required for subcontracts awarded beginning May 1, 1996).
- (5) 52.222-41, the Service Contract Act as Amended (41 U.S.C. 351, et seq.) Subcontracts for certain commercial services may be exempt from coverage if they meet the criteria in FAR 22.1103-4(c) or (d) (see DoD class deviation number 2000-O0006).

(End of clause)

52.223-11 OZONE-DEPLETING SUBSTANCES (MAY 2001)

(a) Definition. Ozone-depleting substance, as used in this clause, means any substance the Environmental Protection Agency designates in 40 CFR part 82 as-

$(1) \ Class\ I,\ including,\ but\ not\ limited\ to,\ chlorofluorocarbons,\ halons,\ carbon\ tetrachloride,\ and\ methyl\ chloroform;\ or\ properties of the control of th$
(2) Class II, including, but not limited to, hydrochlorofluorocarbons.
(b) The Contractor shall label products which contain or are manufactured with ozone-depleting substances in the manner and to the extent required by 42 U.S.C. 7671j (b), (c), and (d) and 40 CFR Part 82, Subpart E, as follows:
"WARNING: Contains (or manufactured with, if applicable), a substance(s) which harm(s) public health and environment by destroying ozone in the upper atmosphere."
The Contractor shall insert the name of the substance(s).
(End of clause)
52.252-2 CLAUSES INCORPORATED BY REFERENCE (FEB 1998)
This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):
http://farsite.hill.af.mil
(End of clause)
52.252-6 AUTHORIZED DEVIATIONS IN CLAUSES (APR 1984)
(a) The use in this solicitation or contract of any Federal Acquisition Regulation (48 CFR Chapter 1) clause with an authorized deviation is indicated by the addition of "(DEVIATION)" after the date of the clause.
(b) The use in this solicitation or contract of any (48 CFR) clause with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.
252.212-7001 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE

ORDERS APPLICABLE TO DEFENSE ACQUISITIONS OF COMMERCIAL ITEMS (APR 2001) (DEVIATION)

(a) In addition to the clauses listed in paragraph (b) of the Contract Terms and Conditions Required to Implement

(a) In addition to the clauses listed in paragraph (b) of the Contract Terms and Conditions Required to Implement Statutes or Executive Orders--Commercial Items (DEVIATION) clause of this contract, the Contractor shall include the terms of the following clause, if applicable, in subcontracts for commercial items or commercial components, awarded at any tier under this contract:

252.225-7014	Preference for Domestic Specialty Metals, Alternate I (MAR 1998) (10
	U.S.C. 2533a).
252.247-7023	Transportation of Supplies by Sea (MAR 2000) (10 U.S.C. 2631)
252.247-7024	Notification of Transportation of Supplies by Sea (MAR 2000) (10
	U.S.C. 2631)

(End of clause)

SCOPE OF WORK

Scope of Work

Provide 3,000 tons of crushed limestone, 2RC Select Granular Material, delivered to the Seven Points Recreation Area, (1,290 tons) and the Susquehannock Recreation Area (1,710 tons).

Provide 1,000 tons of crushed limestone, Mix, 2 parts 1b, 1 part DER Dust/Sand delivered to the Seven Points Recreation Area.